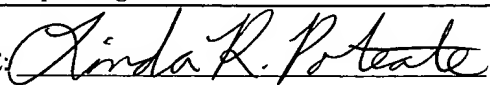


Customized FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY DOCKET NO. P06853US00/LRP  U.S. APPLICATION NO. (If known, see 37CFR 1.5) 09/622,199
INTERNATIONAL APPLICATION NO. PCT/EP99/05744	INTERNATIONAL FILING DATE 29 JULY 1999	PRIORITY DATE CLAIMED 29 JULY 1998
TITLE OF INVENTION: NON-IMIDAZOLE ALKYLAMINES AS HISTAMINE H3-RECEPTOR LIGANDS . . .		
APPLICANT(S) FOR DO/EO/US: SCHWARTZ, Jean-Charles et al.		
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:		
<div style="margin-left: 20px;"> <input type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.  <input checked="" type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371.  <input type="checkbox"/> 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).  <input type="checkbox"/> 4. A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.  <input type="checkbox"/> 5. A <b>copy</b> of the International Application as filed (35 U.S.C. 371 (c)(2))  <div style="margin-left: 20px;"> <input type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau).  <input type="checkbox"/> b. has been transmitted by the International Bureau.  <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US).           </div> <input type="checkbox"/> 6. A <b>translation</b> of the International Application into English (35 U.S.C. 371(c)(2)).  <input type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))  <div style="margin-left: 20px;"> <input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau).  <input type="checkbox"/> b. have been transmitted by the International Bureau.  <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments had NOT expired.  <input type="checkbox"/> d. have not been made and will not be made.           </div> <input type="checkbox"/> 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).  <input checked="" type="checkbox"/> 9. An <b>oath</b> or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  <input type="checkbox"/> 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).         </div>		
<b>Items 11. to 16. below concern document(s) or information included:</b>		
<div style="margin-left: 20px;"> <input checked="" type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98.  <input checked="" type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  <input type="checkbox"/> 13. A <b>First preliminary amendment</b>.  <input type="checkbox"/> A Second or subsequent preliminary amendment.  <input type="checkbox"/> 14. A substitute specification.  <input checked="" type="checkbox"/> 15. A change of power of attorney and/or address letter.  <input type="checkbox"/> 16. Other items or information:  <div style="margin-left: 20px;"> <input type="checkbox"/> <b>Small Entity Statement</b>  <input type="checkbox"/> </div> </div>		
<div style="margin-left: 20px;"> <input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.  <input checked="" type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).         </div>		
Date: 31 May 2001		

U.S. APPLICATION NO. (If known) 09/622,199		INTERNATIONAL APPLICATION NO. PCT/EP99/05744		ATTORNEY DOCKET NO. P06853US00/LRP	
<input checked="" type="checkbox"/> 17. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Basic National Fee (37 CFR 1.492 (a) (1)-(5):					
<input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO		\$ 970			
<input type="checkbox"/> Search Report has been prepared by the EPO or JPO		\$ 840			
<input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO		\$ 690			
<input type="checkbox"/> International preliminary examination fee paid to USPTO		\$ 670			
<input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4)		\$ 96			
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)).				<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. +	\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	88 - 20 =	PAID AT FILING	X \$18 =		\$
Independent Claims	01 - 03 =		X \$78 =		\$
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$260 =		\$
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input type="checkbox"/> Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed.				\$	
SUBTOTAL =				\$ 130.00	
<input type="checkbox"/> Processing fee of \$130 for furnishing the English translation later than from the earliest claimed priority date (37 CFR 1.492(f)).				<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. +	\$
TOTAL NATIONAL FEE =				\$ 130.00	
<input checked="" type="checkbox"/> Fee for recording the enclosed assignment, accompanied by a cover sheet - \$40 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 170.00	
06/04/2001 HNGUYEN 00000099 09622199					
01 FC:154 130.00 OP				Amount to be	
				Refunded	\$
				Charged	\$
<input checked="" type="checkbox"/> a. A check in the amount of \$170.00 to cover the above fees is enclosed.					
<input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees.					
<input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.					
<b>Note:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
LINDA R. POTEATE			SIGNATURE: 		
At the address (below) of CUSTOMER NO. 000881.			NAME: Linda R. Poteate		
LARSON & TAYLOR, PLC			REG. NO.: 36255		
1199 NORTH FAIRFAX ST.			PHONE NO.: 703-739-4900		
SUITE 900			Date: 31 May 2001		
ALEXANDRIA, VA 22314					



#3

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/622199	SCHWARTZ MAY 25 2001	J P06853USOOLR
INTERNATIONAL APPLICATION NO.		
PCT/EP99/05744		
I.A. FILING DATE		
29 JUL 99		
PRIORITY DATE		
29 JUL 98		

LARSON TAYLOR  
1199 NORTH FAIRFAX STREET  
SUITE 900  
ALEXANDRIA, VA 22314

LARSON AND TAYLOR

DATE MAILED: 24 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application.
  - ☒ Oath or Declaration of inventors(s).
  - ☐ Copy of Article 19 amendments.
  - ☒ Priority Document.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☐ Indication of Small Entity Status.
  - ☐ Translation of the international application into English.
  - ☐ Translation of Article 19 amendments into English.
  - ☐ Other:
2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee.
  - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

John L. Anderson